



Montana Department of
ENVIRONMENTAL QUALITY

Marc Racicot, Governor

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March 6, 2000

J. Gary Childress
V.P. - Industrial Minerals
Mountain West LLC
6500 Mineral Drive
Coeur d-Alene, Idaho 83815-4100

Dear Mr. Childress:

Air Quality Permit #2994-01 is deemed final as of March 4, 2000 by the Department of Environmental Quality. This permit is for re-assignment of permit. All conditions of the department's decision remain the same. Enclosed is a copy of your permit with the final date indicated.

For the department,

David L. Klemp
Air Permitting Section Supervisor
Air & Waste Management Bureau
(406) 444-3490

DK:bjd

Enclosure

Montana Department of Environmental Quality
Permitting and Compliance Division

Air Quality Permit # 2994-01

Mountain West, L.L.C.
6500 Mineral Drive
Coeur d'Alene, Idaho 83815-4100

March 4, 2000





AIR QUALITY PERMIT

Issued to: Mountain West, L.L.C.
6500 Mineral Drive
Coeur d'Alene, Idaho 83815-4100

Permit #2994-01
Modification Request Received: 12/20/99
Department Decision on Modification: 2/17/00
Permit Final: 03/04/00
AFS Number: 061-0005

An air quality permit, with conditions, is granted to Mountain West, L.L.C., hereinafter referred to as "Mountain West," pursuant to Sections 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and Administrative Rules of Montana (ARM) 17.8.701, *et seq.*, as amended, for the following:

SECTION I: Permitted Facilities

A. Plant Location

Mountain West's bark processing facility is located about 4.5 miles west of Superior in the NW¼ of Section 13, Township 16 North, Range 26 West, Mineral County, Montana.

B. Permitted Facility

A list of permitted equipment is included in the Permit Analysis section of this permit.

C. Current Permit Action

On December 20, 1999, the Department of Environmental Quality (Department) received, from Hecla Mining Company, a request to re-assign permit #2994-00 from Mountain West Colorado Aggregate (MWCA) to Mountain West, L.L.C. Both MWCA and Mountain West, L.L.C., are wholly owned subsidiaries of Hecla Mining Company. The current modification transfers ownership of the bark processing facility to Mountain West, L.L.C. Permit #2994-01 replaces permit #2994-00.

SECTION II: Limitations and Conditions

A. Limitations and Conditions

1. Mountain West shall not process more than 133,000 tons of material per year. This limitation shall be on an "as processed," or green, basis (ARM 17.8.710).
2. Mountain West shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of twenty percent (20%) or greater averaged over a six-minute period (ARM 17.8.304).

3. Mountain West shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).
4. Mountain West shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precautions limitation (ARM 17.8.715).
5. With the exception of the portable screen, Mountain West shall cover processing screens and trommel barrels to minimize fugitive dust emissions (ARM 17.8.715).

B. Testing Requirements

1. All compliance source tests shall conform to the requirements of the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
2. The department may require testing (ARM 17.8.105).

C. Operational and Emission Inventory Reporting Requirements

1. Mountain West shall supply the department with annual production information for all emission points, as required by the department in the annual emission inventory request. The request will include, but is not limited to, all sources of emissions identified in the emission inventory contained in the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the department by the date required in the emission inventory request. Information shall be in the units required by the department. This information may be used for calculating operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

2. Mountain West shall notify the department of any construction or improvement project conducted pursuant to ARM 17.8.705(1)(r) that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emissions unit. The notice must be submitted to the department, in writing, 10 days prior to start up or use of the proposed de minimis change or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change and must include the information requested in ARM 17.8.755(1)(r)(iv) (ARM 17.8.705).
3. All records compiled in accordance with this permit must be maintained by Mountain West as a permanent business record for at least five years following the date of the measurement, must be available at the plant site for inspection by the department, and must be submitted to the department upon request (ARM 17.8.710).

SECTION III: General Conditions

- A. Inspection - Mountain West shall allow the department's representatives access to the source at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if Mountain West fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving Mountain West of the responsibility for complying with any applicable federal or Montana statute, rule or standard, except as specifically provided in ARM 17.8.701, *et seq.* (ARM 17.8.717).
- D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties, or other enforcement, as specified in Section 75-2-401, *et seq.*, MCA.
- E. Appeals - Any person or persons jointly or severally adversely affected by the department's decision may request, within fifteen (15) days after the department renders its decision, upon affidavit setting forth the grounds therefor, a hearing before the Board of Environmental Review. A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The department's decision on the application is not final unless fifteen (15) days have elapsed and there is no request for a hearing under this section. The filing of a request for a hearing postpones the effective date of the department's decision until the conclusion of the hearing and issuance of a final decision by the Board of Environmental Review.
- F. Permit Inspection - As required by ARM 17.8.716, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by department personnel at the location of the permitted source.
- G. Permit Fees - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay the annual operation fee by Mountain West may be grounds for revocation of this permit, as required by that Section and rules adopted thereunder by the Board of Environmental Review.

Mountain West shall allow the department's representatives access to the source at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.

Permit Analysis
Mountain West, L.L.C
Bark Processing Facility
Mineral County, MT
Permit #2994-01

I. Introduction/Process Description

A. Site Location

Mountain West's bark processing facility is located about 4.5 miles west of Superior in the NW¼ of Section 13, Township 16 North, Range 26 West, Mineral County, Montana.

B. Permitted Equipment

This permit covers all sources of air pollution at Mountain West's bark processing facility near Superior including, but not limited to, trommel barrels, screens, bark hogs, baggers and storage piles.

C. Process Description

The facility consists of processing lines for the separation and classification of bark and log yard waste. The final products are "beauty bark" used for landscaping materials. The raw material consists mainly of log yard waste and is brought in by truck. The material is processed in the Main, Driftwood, or Yard systems, depending on the composition of the material. The material is run through screens, hogs, and barrel trommels (via conveyors) to separate dirt and undersized material from the useable landscaping bark. The various size fractions are stored in outdoor storage piles. All operations, except the bagging, are located outdoors.

D. Permit History

Mountain West Colorado Aggregate (MWCA) has processed bark at the facility since 1988. In 1997, after reviewing the estimated emissions from the facility and determining that the facility exceeded the 25-ton-per-year threshold, MWCA submitted a preconstruction permit application. Because of questions about the ambient air impact analysis and the modeling provided with the permit application, the application was not deemed to be complete until April 3, 1998. The final air quality preconstruction permit #2994-00 was issued on June 17, 1998.

E. Current Permit Action

On December 20, 1999, the Department of Environmental Quality (department) received, from Hecla Mining Company, a request to re-assign permit #2994-00 from MWCA to Mountain West, L.L.C. Both MWCA and Mountain West, L.L.C., are wholly owned subsidiaries of Hecla Mining Company. The current modification transfers ownership of the bark processing facility to Mountain West, L.L.C. Permit #2994-01 replaces permit #2994-00.

F. Additional Information

Additional information, such as applicable rules and regulations, BACT/RACT determinations, air quality impacts, and environmental assessments, is included in the analysis associated with each change to the permit.

II. Applicable Rules and Regulations

The following are partial quotations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available upon request from the department. Upon request, the department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Subchapter 1, General Provisions, including, but not limited to:

1. ARM 17.8.101. Definitions. This section includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105. Testing Requirements. Any person or persons responsible for the emissions of any air contaminant into the outdoor atmosphere shall, upon written request of the department, provide the facilities and necessary equipment, including instruments and sensing devices, and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the department.
3. ARM 17.8.106. Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, MCA.

Mountain West shall comply with the requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Testing Protocol and Procedures Manual is available from the department upon request.

4. ARM 17.8.110. Malfunctions. (2) The department must be notified promptly by phone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation, or to continue for a period greater than four hours.
5. ARM 17.8.111. Circumvention. (1) No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner that a public nuisance is created.

B. ARM 17.8, Subchapter 2, Ambient Air Quality, including, but not limited to:

The following ambient air quality standards or requirements may apply, including, but not limited to:

1. ARM 17.8.210, Ambient Air Quality Standard for Sulfur Dioxide;
2. ARM 17.8.211, Ambient Air Quality Standard for Nitrogen Dioxide;
3. ARM 17.8.212, Ambient Air Quality Standard for Carbon Monoxide;
4. ARM 17.8.213, Ambient Air Quality Standard for Ozone;
5. ARM 17.8.214, Ambient Air Quality Standard for Hydrogen Sulfide;
6. ARM 17.8.220, Ambient Air Quality Standard for Settled Particulate Matter;
7. ARM 17.8.221, Ambient Air Quality Standard for Visibility;
8. ARM 17.8.222, Ambient Air Quality Standard for Lead;
9. ARM 17.8.223, Ambient Air Quality Standard for PM₁₀; and,
10. ARM 17.8.230, Fluoride in Forage.

Mountain West must maintain compliance with the applicable ambient air quality standards.

C. ARM 17.8, Subchapter 3, Emission Standards, including, but not limited to:

1. ARM 17.8.301, Definitions. This section includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.304, Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged to an outdoor atmosphere from any source installed or altered after November 23, 1968, that exhibit an opacity of 20% or greater averaged over six consecutive minutes.
3. ARM 17.8.308, Particulate Matter, Airborne. (1) This section requires an opacity limitation of 20% for all fugitive emission sources and requires reasonable precautions be taken to control emissions of airborne particulate. (2) Under this section, Mountain West shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
4. ARM 17.8.309, Particulate Matter, Fuel Burning Equipment. This section requires that no person shall cause, allow, or permit to be discharged into the atmosphere, particulate matter caused by the combustion of fuel, in excess of the amount determined by this section.
5. ARM 17.8.310, Particulate Matter, Industrial Process. This section requires that no person shall cause, allow, or permit to be discharged into the atmosphere, particulate matter in excess of the amount set forth in this section.

6. ARM 17.8.324(3), Hydrocarbon Emissions--Petroleum Products. No person shall load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such a tank is equipped with a vapor-loss control device, as described in (1) of this rule, or is a pressure tank as described in (1) of this rule.
7. ARM 17.8.340, Standard of Performance for New Stationary Sources. This section incorporates, by reference, 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS). This facility is not an NSPS affected source because it does not meet the definition of any NSPS subpart defined in 40 CFR Part 60.

D. ARM 17.8, Subchapter 5, Air Quality Permit Application, Operation and Open Burning Fees, including, but not limited to:

1. ARM 17.8.504, Air Quality Permit Application Fees. This section requires that an applicant submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the department. This current permit action is an administrative action and does not require a permit application fee; therefore, Mountain West was not required to submit a fee.
2. ARM 17.8.505, Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the department; and the air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, as described above, shall take place on a calendar-year basis. The department may insert into any final permit issued after the effective date of these rules such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions which pro-rate the required fee amount.

E. ARM 17.8, Subchapter 7, Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:

1. ARM 17.8.701, Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise is a specific subchapter.
2. ARM 17.8.704, General Procedures for Air Quality Preconstruction Permitting. This air quality preconstruction permit contains requirements and conditions applicable to both construction and subsequent use of the permitted equipment.

3. ARM 17.8.705, When Permit Required, Exclusions. This rule requires a facility to obtain an air quality permit or permit alteration if they construct, alter, or use an air contaminant source which has the potential to emit more than 25 tons per year of any pollutant. Mountain West has the potential to emit PM and PM₁₀ at greater than 25 tons per year; therefore, a permit is required.
4. ARM 17.8.707, Waivers. ARM 17.8.706 requires the permit application be submitted 180 days before construction begins. The department hereby waives this time limit.
5. ARM 17.8.710, Conditions for Issuance of Permit. This section requires that Mountain West demonstrate compliance with applicable rules and standards before a permit can be issued. Also, a permit may be issued with such conditions as are necessary to assure compliance with all applicable rules and standards. Mountain West has demonstrated compliance with applicable rules and standards as required for permit issuance.
6. ARM 17.8.715, Emission Control Requirements. This section requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that best available control technology (BACT) shall be utilized. A BACT analysis is not required with this current permitting action since this permitting action is an administrative action, and no emissions increase will result.
7. ARM 17.8.716, Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the department at the location of the source.
8. ARM 17.8.717, Compliance with Other Statutes and Rules. This rule states that nothing in the permit shall be construed as relieving Mountain West of the responsibility for complying with any applicable federal and Montana statutes, rules and standards, except as specifically provided in ARM 17.8.101, *et seq.*
9. ARM 17.8.720, Public Review of Permit Applications. This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. Mountain West was not required to notify the public of this current permitting action as it is considered an administrative action.
10. ARM 17.8.731, Duration of Permit. An air quality permit shall be valid until revoked or modified as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than one year after the permit is issued.

11. ARM 17.8.733, Modification of Permit. An air quality permit may be modified for changes in any applicable rules and standards adopted by the board or changed conditions of operation at a source or stack which do not result in an increase in emissions because of those changed conditions. A source may not increase its emissions beyond those found in its permit, unless the source applies for and receives another permit.

12. ARM 17.8.734, Transfer of Permit. This section states that an air quality permit may be transferred from one person to another if written notice of intent to transfer, including the names of the transferor and the transferee, is sent to the department.

F. ARM 17.8, Subchapter 8, Prevention of Significant Deterioration of Air Quality (PSD), including, but not limited to:

1. ARM 17.8.801, Definitions. This rule is a list of applicable definitions used in this subchapter.

This facility is not a PSD source since this facility is not a listed source and the site's potential to emit is below 250 tons per year of any pollutant.

III. Emission Inventory

<u>SOURCE</u>	<u>PARTICULATE MATTER</u>	<u>PM-10</u>
Main System	21.8	7.9
Driftwood System	11.3	4.1
Bagging Operations	0.7	0.2
Yard System	2.6	0.9
<u>Fugitives from Vehicles</u>	<u>11.4</u>	<u>5.1</u>
Total Process Emissions	47.8	18.2
Main System Fines Storage Pile	7.3	2.6
Driftwood System Fines Storage Pile	2.3	0.8
Truck Dump Storage Pile	26.8	9.7
Bagging Operation Storage Pile	0.6	0.2
<u>Yard System Fines Storage Pile</u>	<u>0.5</u>	<u>0.2</u>
Total Storage Emissions	37.5	13.5
TOTAL EMISSIONS (tons/year)	85.3	31.7

IV. Existing Air Quality and Monitoring Requirements

The area surrounding the Mountain West facility is mainly rural. The local air quality is defined as unclassifiable for the ambient standards. In the view of the department, the amount of controlled emissions from this facility will not cause an exceedance to a level above any ambient air quality standard.

V. Taking or Damaging Implication Analysis

As required by 2-10-101 through 105, MCA, the department has conducted a private property taking and damaging assessment and has determined there are no taking or damaging implications.

VI. Environmental Assessment

This permitting action will not result in an increase of emissions from the facility; therefore, an environmental assessment is not required.

Permit Analysis Prepared By: Mary Louise Hendrickson

Date: February 16, 2000